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April 21, 2014

Honorable Richard J. Sullivan, U.S.D.J.
Southern District of New York
40 Foley Square, Room 2104
New York, New York 10007

Re: *SEC v. Amerindo*, 05 cv 5231 (RJS)

Dear Judge Sullivan:

I write concerning the Court's order of April 21, 2014 instructing investors Gaztambide and Acevedo, as well as David Mainzer, to write letters to the Court by April 23. These people are not parties to the case. I have taken it upon myself to inform them of the Court's requirements.

So that the Court is aware of the circumstances, I remind the Court that at the March 14, 2014 hearing on distributions, I mentioned (05 cv 5231 March 14, 2014 Transcript p. 21-22) that there were investors who had been on Sharon' Levin's list, which was based on the Amerindo Panama records, who were not on the receiver's lists and as to whom he seemingly did not have claims. They had been included on our July 2012 payout proposals and defendants believe they have valid claims.

I had learned from Karl Gaztambide, to whom, I spoke about the resentencing, that his mother and aunt (who live in Puerto Rico) had not been contacted by the receiver. On March 20, 2014, I wrote to Mark Salzberg and Neal Jacobson about a potential settlement and specifically told them the names of these investors.¹ I assumed that Mr. Gazes would thereafter contact these

¹ I wrote this to Mr. Jacobson and Mr. Salzberg on March 20, 2014:

Finally, there are some investors who were not contacted by Mr. Gazes, though they appear on Sharon Levin's list and were noted on our payout proposal in July 2012. Specifically they are three sisters, Jacqueline Gaztambide, Annette Acevedo, and Ana Acevedo; Jenny Zanzuri; Maria Dichov; and Angelika Hrytsyk-Tolik Prvlovskyy (in Ukraine). Defendants believe they have valid claims. If needed we can find contact information but seemingly the information is in the Amerindo Panama files, where Sharon Levin obtained the names and amounts (per her DOC 514, government response to the combined Courts' request that the government and SEC set forth claims and assets).

omitted investors. I learned recently, however, that they had not (yet) been contacted.

I suggested that they contact the Court to remedy the situation. That is how the emails were sent to the Court.

As to Mr. Mainzer, he has been on the “distribution” lists, because at some point Mr. Begos made him the “contact” for Amerindo. (He wrote at some point asking to be removed from the regular email listings). Mr. Mainzer asked me recently whether it was too late to seek funds from the Amerindo U.S. Pension fund. (Mr. Mainzer is not an investor. He has an interest in a U.S. *pension* account, that was among the accounts seized by JP Morgan). I suggested that he write to Mr. Gazes and the Court to inquire about the pension account. He did so.

Very truly yours,
/s/
Vivian Shevitz

cc: Neal Jacobson
Mark Salzberg
Ian Gazes
David Burger
Sharon Levin
Benjamin Naftalis
Justin Anderson